

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: August 8, 2024 **Time:** 1 Hour 4 Minutes **Judge:** YVONNE GONZALEZ ROGERS
Case No.: 21-cr-00328-YGR-1 **Case Name:** UNITED STATES v. Cervantes et al
21-cr-00328-YGR-3
21-cr-00328-YGR-5
21-cr-00328-YGR-7

Attorney for Defendant: John Paul Reichmuth and Lisa Ma (Cervantes); Erik Babcock (Perez); Brian Getz (Solorio); Marsanne Weese and Nathaniel Torres (Franco); via Zoom

Defendant: **David Cervantes;** Present and In Custody
James Perez; Not Present and In Custody (waiving appearance)
Guillermo Solorio; Not Present and In Custody
George Franco; Not Present and In Custody

Deputy Clerk: Edwin Angelo A. Cuenco **Reported by:** Raynee Mercado

PROCEEDINGS

Status Conference – HELD.

The Court heard argument on the permissible scope of cross examination on Matthew Rocha, Exhibit No. 442, the defendants certified conviction records, and the admissibility of the physical impeachment-audio clips.

The case is continued on August 9, 2024, at 3:00 p.m. for Status Conference via Zoom Videoconference with the defense to their offer proffer re the scope of the Rocha cross examination. All defendants waive their appearances. Prosecution will join at 3:30 p.m.

Exhibit No. 442: call intercept on TT19, session 912 dated March 9, 2019, Clip 1 is **Admitted** by the Court.

Defense certified records are sufficiently sanitize and the Court will admit. With respect to those of defendant Cervantes, counsel may identify transcript citations showing that his records are cumulative.

Any additional authority on the admissibility of the physical clips shall be provided before 8:00 a.m. on Friday, August 9, 2024. A written order shall issue. The defense shall provide a transcript of the portions played shall to the court reporter who shall attach the transcript to the official transcript. The defense shall identify where in the transcript the portions were played.

Parties are ordered to provide their proposed briefing schedules of defense's pending motion to dismiss by no later than tomorrow's conference.

The Status Conference previously set for August 9, 2024, at 10:00 a.m., is vacated.